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REMARKS

INTRODUCTION

Claims 1-20 were previously and are currently pending and under consideration.

Claim 21 is added herein.

Therefore, claims 1-21 are now pending and under consideration.

Claims 1-20 are rejected.

Claims 1, 11, and 20 are amended herein.

No new matter is being presented, and approval and entry are respectfully requested.

REJECTIONS UNDER 35 USC § 112, SECOND PARAGRAPH

In the Office Action, at page 2, claims 1-19 were rejected under 35 U.S.C. § 112, second paragraph, for the reasons set forth therein. Appropriate corrections are made herein. Withdrawal of the rejection is respectfully requested.

REJECTIONS UNDER 35 USC § 102

In the Office Action, at pages 2-8, claims 1-20 were rejected under 35 U.S.C. § 102 as anticipated by Reilly. This rejection is traversed and reconsideration is requested.

REILLY DOES NOT TEACH OR SUGGEST INTERMEDIATION

Claim 1, for example, recites an apparatus for mediating distribution of information. The apparatus is not the originator of the information to be distributed, nor is the apparatus the ultimate receiver. Rather, the apparatus receives distribution information, uses a distribution rank to summarize the distribution information according to summarization degree corresponding to the distribution rank. For example, claim 1 recites "conducting communication via a network with the sending apparatus and the receiving apparatus". In contrast, Reilly does not have an intermediation point that receives distribution information from a sender, stores and processes

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the distribution information, and then sends it to a receiver of the same. The rejection compares the apparatus of claim 1 to the server 104. However, server 104 does not receive distribution information. The server 104 in Reilly is analogous to the sender in claim 1; claim 1 recites receiving distribution information from a sender of the same. Claims 11 and 20 recite similar features. Withdrawal of the rejection is respectfully requested.

REILLY DOES NOT TEACH OR SUGGEST CLAIMED DISTRIBUTION RANK FEATURES

Claim 1, for example, recites features by which a receiver can select a distribution rank on a sender basis ("a distribution rank selected in advance by the receiver with respect to distribution information from the sender"). Distribution content is summarized according to a summarization degree indicated by its sender's distribution rank, and then sent to the receiver. In contrast, in Reilly the selection result of a subscriber is with respect to subcategories of information (e.g. sports). More specifically, Reilly discusses first displaying to a user a headline of a news item and only sending the body when the user desires to subscribe to the news service. In Reilly, data of topical subcategories is stored as a category in a user's profile. This is different than claims 1, 11, and 20 which recite that the distribution rank is selected/obtained based on its correspondence to the sender of the distribution information. Who sent the news item to the user is not used in Reilly. Withdrawal of the rejection of claims 1, 11, and 20 is respectfully requested.

DEPENDENT CLAIMS

The dependent claims are deemed patentable due at least to their dependence from allowable independent claims. These claims are also patentable due to their recitation of independently distinguishing features. For example, claim 2 recites that "the distribution conditions further include designation of a distribution time". This feature is not taught or suggested by the prior art. Withdrawal of the rejection of the dependent claims is respectfully requested.

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CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to: Commissioner for Patents,

P.O. Box 1450, Alexandria, VA 22313-1450

on January 19, 2005

STAAS & HALSEY

By: Thomas G. Anderson

Date January 19, 2005